

Shelby

Shelby 2012

of the judges of the circuit and superior courts of Hancock, Rush, Decatur, Bartholomew and Johnson Counties, who have agreed to serve. Whenever an appointment of a successor judge becomes necessary the case shall be reassigned to one of the judges on the Clerk's list on a rotation basis.

- 1.10 Should a judge not be available for assignment from the Clerk's list or the particular circumstances of the case require a selection of a special judge by the Indiana Supreme Court, the case shall be certified to the Indiana Supreme court pursuant to Criminal Rule 13(d).

Adopted as Joint Local Rule No. 1, effective October 11, 2001. Amended and renumbered as Rule 1, September 30, 2005, effective October 11, 2005. Amended on April 8, 2009. Amended 06-14-2011 17, 2011.

73-CB00 RULE 2 BOND SCHEDULE

THE FOLLOWING IS THE PRESUMPTIVE BOND SCHEDULE FOR ALL SHELBY COUNTY COURTS:

- 2.1 Bond Schedule. Unless otherwise ordered by the Court, the following shall be the amounts set for the bail bonds:

<u>Charge</u>	<u>Bond Amount</u>
Class C Misdemeanors \$2,000.....	10% Cash
Class B Misdemeanors \$3,000.....	10% Cash
Class A Misdemeanors \$5,000.....	10% Cash
Class D Felony \$7,500	10% Cash
Class C, B, A Felony.....	NO BOND
Murder.....	NO BOND

- a. In the event that an arrest is made without a warrant signed by a judge endorsing a specific bond, the charts above shall establish the bond for a "preliminary charge". In the event that the individual is arrested on more than one "preliminary charge", the bond shall be set in the amount of bond for the most serious offense
- 2.2 In the event that the arresting officer believes that the above schedule is not appropriate for a specific arrest based upon facts known to the officer or surrounding circumstances, the officer may complete an affidavit in a form substantially conforming to the form attached hereto (Form A) and provide it to the Sheriff's Department and the Sheriff is authorized to hold such arrestee until the sooner of forty-eight (48) hours (excluding weekends and holidays) or until further order of a Judge.
- 2.3 No bond: this bond schedule shall not be used for nor applicable to the following cases:
- 2.3.1 A person arrested for a crime while on probation, parole, bond, or while released on their own recognizance. Persons on parole or probation shall have an immediate 15 day probation/parole hold placed upon them by jail staff, including but not limited to persons arrested pursuant to a warrant.
- 2.3.2 any person arrested on a charge of Invasion of Privacy, Domestic Battery, or Stalking.
- 2.4 Court Assignments
- a. All misdemeanor and/or class D felony Driving While Intoxicated arrestees will be scheduled by jail personnel into Superior Court 2.
- b. All other D, C, B, and A felonies arrestees are pool felonies and the court will be determined by a pool drawing. Such arrestees shall report to the Shelby County Clerk at the date and time designated by the jail staff when released for information regarding their assigned court, failure to do so may be punished by contempt or additional criminal charges including but not limited to escape.

- 2.6 Subject to paragraph 2.3, the bond stated on a warrant shall be allowed in all warrant arrests and the arrested person shall report to the appropriate court as instructed by the jail staff.
- 2.7 Nolle Pros-Upon notification by an authorized representative of the Shelby County Prosecutor's Office that no charges will be filed in the immediate future, the jail may release any person upon their own recognizance. If the prosecutor's office notifies the jail or the court after the arrestee has already posted bond, then such bond shall be held by the clerk until further order of the court.

FORM A	
AFFIDAVIT FOR HOLD FOR PRELIMINARY CHARGE	
Arrestee Name: _____	
Arrestee DOB: ____ - ____ - ____ Arrestee OLN/ID Card _____	
Arrestee Home address: _____	
Street: _____	
Arrestee City State Zip Code _____	
<p>The undersigned law enforcement officer makes this affidavit for the purpose of requesting that the Shelby County Sheriff hold the named arrestee, and that said arrestee shall not be allowed to post bond pursuant to the schedule set by the judges of this county. In support the undersigned states the bond schedule is not appropriate for:</p>	
Name _____ (hereinafter arrestee) in that said arrestee:	
<p>____ is not a resident of this community and/or appears to have no significant ties to the community and /or appears to the undersigned to present a higher than normal risk to fail to return; or</p>	
<p>____ has made threats of violence to this officer or to another person which if carried out would warrant a substantially higher charge and bond, and it appears likely to the undersigned that the arrestee would carry out these threats if permitted to post the standard bond; or</p>	
<p>____ is suspected of additional or more serious charges which will require further investigation, and the bond for the offense for which the arrestee is now held is not likely to be sufficient to assure attendance at proceedings for the suspected offense; or</p>	
<p>____ other grounds not set forth above: _____</p>	

<p>I affirm under penalties for perjury that the above is true to the best of my knowledge this ____ day of _____, 20____ at _____ o'clock __m.</p>	
<p>_____ Signature</p>	